



**Date Effective:
October 1, 2004**

**STATE PLAN
FOR
TEMPORARY ASSISTANCE
FOR
NEEDY FAMILIES
(TANF)**

Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Transitional Assistance

SECTION 402 - STATE PLAN REQUIREMENTS

(a)(1) OUTLINE OF THE PROGRAM

(A) General Provisions

This plan provides an outline of how the State will accomplish the following:

(i) Conduct a program, designed to serve all political subdivisions in the State (not necessarily in a uniform manner), that provides assistance to needy families with (or expecting) children and provides parents with job preparation, work and support services to enable them to leave the program and become self-sufficient.

The Department of Transitional Assistance (DTA) is the primary agency responsible for administering and supervising Massachusetts' TANF block grant. The primary cash assistance program operated under TANF is the Transitional Aid to Families with Dependent Children (TAFDC) program. The TAFDC program is authorized by the Commonwealth's welfare reform law, Chapter 5 of the Acts of 1995. The TAFDC program is described in detail below.

In addition, Massachusetts recognizes the need to provide benefits to low income families within the state regardless of whether or not they are currently recipients of TAFDC cash assistance. By providing these benefits, the state helps keep families from entering or returning to the welfare rolls and enhances their ability to support themselves through work. Examples of programs that the state currently provides to enhance the well-being of needy families include a refundable earned income tax credit program, a supplemental food stamp program for non-citizens ineligible for federal food stamp assistance, transitional and income-eligible child care, early childhood development programs, and case management and referral assistance for former TAFDC families who have reached their state time limit for TAFDC cash assistance. Unless otherwise stated within this document, for the purposes of claiming TANF and MOE expenditures, Massachusetts defines a needy family as a family with a child or a noncustodial parent whose income does not exceed 85% of the State Median Income. Additional information on these programs is provided later in the plan.

Transitional Aid to Families with Dependent Children

TAFDC is the state's cash assistance program for families with children (including pregnant women in their third trimester) with few or no assets and little or no income. Stressing work as a means to self-sufficiency, the TAFDC program encourages a departure from reliance on the traditional welfare system. Assets are considered for eligibility determination as defined in 106 CMR 204.100, while income applied to eligibility determination or review is defined under 106 CMR 204.200. Payment standards for this program can be found in regulation at 106 CMR 204.400. (The Department's current regulations are available on the Internet by opening here: <http://www.mass.gov/dta>.)

Under TAFDC program, benefits are provided on a statewide basis to needy families with children, and to pregnant women. These benefits are provided subject to eligibility rules defined by the Department in its regulations, which are authorized by state and federal law, including Chapter 5 of the Acts of 1995 and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). Massachusetts complies with the requirements of the PRWORA, with the exception of

those provisions identified below in the section entitled “***Provisions which Massachusetts will Continue to Implement under its 1115 Waiver Authority.***”

All of the Department’s regulations are promulgated in accordance with the state Administrative Procedures Act (M.G.L., c. 30A), which provides the public with an opportunity for notice, review and comment. The Department’s regulations referenced throughout this State plan are subject to change and are available as indicated above. A change to these regulations will result in a state plan amendment only when the State is proposing a substantive change which would: 1) affect the State’s compliance with the Personal Responsibility and Work Opportunity Reconciliation Act; or 2) implement a State option not previously included in the State’s plan.

TAFDC benefits and services are provided to eligible families when the Commonwealth has determined, in accordance with its regulations, that such families reside in Massachusetts, and have dependent children who meet certain relationship requirements and are deprived of parental support. In making determinations of eligibility, the Commonwealth uses fair and equitable standards for considering an applicant’s/recipient’s income and assets, and determining financial eligibility and benefit amounts. Uniform program policies are implemented in all political subdivisions throughout the Commonwealth, with the exception of any pilot projects implemented by the Department.

Each applicant/recipient is advised of his/her rights and responsibilities. Applicants/recipients are expected to provide verifications of their eligibility, to report all changes related to their eligibility in a timely manner, to have their eligibility reviewed periodically, to apply for certain other benefits for which they may be eligible, and to cooperate in the establishment and collection of support payments and the establishment of third party liability for medical coverage, unless they have good cause for not cooperating.

In accordance with established timeliness standards, determinations of eligibility for benefits are made promptly, and applicants/recipients are notified of eligibility decisions.

Summary of Major Provisions of TAFDC

Time-limit on benefits: For purposes of determining eligibility for recipients subject to the State’s two-year limit on benefits, the Department categorizes recipients as “exempt” or “nonexempt”. Generally, exempt recipients are those unable to work because of a disability, the age of their children, or their own age. Nonexempt recipients are those who do not have such barriers to obtaining employment. For a more complete listing of the exemption categories, see the Department’s current regulations at 106 CMR 203.100. The Department’s time limit regulations can be found at 106 CMR 203.200.

Nonexempt TAFDC recipients are limited to 24 months of assistance in a continuous 60-month period, with some exceptions. The time-limit may be waived for a dependent child who is no longer able to live with his or her parent(s) if the custody or guardianship of the child has been legally transferred to the other parent or a relative. If this does not apply, a waiver of the time-limit may be requested in writing to the Commissioner or the Commissioner’s designee, describing the extraordinary circumstances under which a waiver is being requested, and the Commissioner or designee may extend benefits beyond the 24-month period under certain circumstances.

Among those who qualify for extensions are those working full-time at minimum wage but making less money than they would receive from TAFDC. The Commissioner or designee will also consider the availability of child care, whether local job opportunities exist, the recipient’s work history, work-

related activities in which the recipient has participated, and whether the recipient has cooperated with DTA rules and regulations.

Recipients who are granted extensions may be required to undergo vocational assessments, and may be required to participate in a subsidized work program. Extensions are short-term with a goal of finding a job. Extension regulations may be found at 106 CMR 203.210.

Victims of domestic violence may also receive waivers of the time limit under certain circumstances. These regulations can be found at 106 CMR 203.110.

Chapter 5 of the Acts of 1995, which authorized the TAFDC program, also permits recipients who were participating in an approved employment program on January 1, 1995 to complete such a program and continue to receive benefits while participating in the program.

Benefits to recipients who have exceeded the TANF sixty month limit, but who continue to be eligible under State law, will be provided as part of the 20% hardship exception, or funded through the State maintenance of effort provisions.

Work Program Requirements: A TAFDC recipient who is nonexempt and whose youngest child is at age two or older, shall participate in work-related activities for 20 hours each week if the youngest child of record is between the age of 2 and the age at which full time schooling is mandatory, for 24 hours each week if the youngest child of record is between the age at which full time schooling is mandatory and age 9, and for 30 hours each week if the youngest child of record is 9 years of age or older; TAFDC recipients can substitute work with education and/or training that meets the provisions required by 106 CMR 203.400(A)(2). In two-parent households, both parents are subject to the work program requirement unless exempt. As noted below, the State is electing to retain this work requirement under its waiver authority, rather than adopting the requirements specified in the Personal Responsibility and Work Opportunity Reconciliation Act. The current regulations specifying the Department's Work Program requirements can be found at 106 CMR 203.400. Waivers of the work program requirements may be granted in cases of domestic violence. The Department's domestic violence regulations may be found at 106 CMR 203.110.

Community Service: Nonexempt recipients subject to the work program requirement, who are not employed for the minimum number of hours per week required under 106 CMR 203.400(A) or who are not substituting work hours with education and/or training that meets the applicable provisions, must participate in community service (or combine work and community service) for the number of hours per week that ensures work/education and/or training program compliance. As noted below, the State is electing to retain this requirement under its waiver authority, rather than adopting the requirements specified in the Personal Responsibility and Work Opportunity Reconciliation Act. The Department's current community service regulations can be found at 106 CMR 203.400 and 207.170.

Benefit Reduction: To encourage employment, all nonexempt recipients are subject to a 2.75 percent reduction in cash assistance benefits (approximately \$15 per month for a family of three) compared to exempt households of the same size. The Department's current nonexempt need and payment standards can be found at 106 CMR 204.415 and 204.425.

Work Incentives: Families subject to the 2.75 percent benefit reduction are permitted to retain more of their earned income than exempt families. Nonexempt recipients who work are allowed to retain \$30

plus one-half of their earned income. Exempt recipients may keep \$30 plus one-third of their earned income. Both deductions remain in place as long as a family is employed and eligible. The Department's current work incentive regulations can be found at 106 CMR 204.280 and 204.285.

Teen Parents: As a condition of eligibility, parents under the age of 20 must have a high school diploma or GED, or be in a program to obtain one. In addition, they must live in the home of a parent or adult relative or, if there is abuse, neglect or substance abuse at home, in a supervised, structured setting, unless they meet the Department's criteria to live independently. The Department's current Teen Parent regulations can be found at 106 CMR 203.600 through 203.640. School attendance may be waived for teen parents who are victims of domestic violence. The pertinent regulations may be found at 106 CMR 203.110.

Full Employment Program: Recipients who volunteer for the Full Employment Program receive wages from their employer, plus a supplement from the Department, if necessary, to bring their income up to the level of TAFDC and Food Stamp benefits they would have otherwise received. The Department's current Full Employment Program regulations can be found at 106 CMR 207.180.

Learnfare/School Attendance: Children under the age of 14 may be sanctioned for an excessive number of unexcused absences from school, with certain exceptions. Children over the age of 16 are also required to attend school, with certain exceptions. The Department's current Learnfare and School Attendance regulations can be found at 106 CMR 203.900 and 203.560 - 203.575.

Family Cap: No additional cash benefits are provided for children born to TAFDC recipients, with certain exceptions. The Department's current Family Cap regulations can be found at 106 CMR 203.300. The family cap provision may be waived for certain recipients who are victims of domestic violence. Please refer to 106 CMR 203.110.

Immunization Requirement: With certain exceptions, children in TAFDC families must be immunized, or the family's grant may be reduced. The Department's current Immunization regulations can be found at 106 CMR 203.800.

Provisions Which Massachusetts Will Continue To Implement Under Its 1115 Waiver Authority

The following references to Massachusetts' 1115 waiver refer to "**Massachusetts Welfare Reform '95**", as approved on October 31, 1995, and as amended on April 22, 1996. This statewide waiver was implemented November 1, 1995, and is approved through September 30, 2005.

Mandatory Work Requirement: With certain exceptions, a TAFDC recipient who is nonexempt and whose youngest child is at age two or older, shall participate in work-related activities for 20 hours each week if the youngest child of record is between the age of 2 and the age at which full time schooling is mandatory, for 24 hours each week if the youngest child of record is between the age at which full time schooling is mandatory and age 9, and for 30 hours each week if the youngest child of record is 9 years of age or older; TAFDC recipients can substitute work with education and/or training that meet the provisions required by 106 CMR 203.400(A)(2). In two-parent households, both parents are subject to the work program requirement unless exempt. This is inconsistent with the minimum number of hours of work activity required under PRWORA for two-parent households, and for single parent households after FY99. However, the State has retained this work requirement under its waiver authority. The State's work program requirements can be found at 106 CMR 203.400.

Exempt/Nonexempt Status Regarding Work: The State's work program exemptions were established under Massachusetts' 1115 waiver authority. They are inconsistent with PRWORA, which requires States to mandate work for a caretaker once the caretaker is determined to be job ready, or once the caretaker has received assistance for 24 months, whichever is earlier. Massachusetts will continue to operate under its 1115 waiver authority which permits additional exemptions from work. The State's current exemptions and work program requirements can be found at 106 CMR 203.100 and 106 CMR 203.400.

Sanctions for failure to Comply with Work Program Requirement: A TAFDC recipient who is subject to the Work Program requirement identified above, is sanctioned as follows, for failing to comply with this requirement without good cause: Once mandated, a nonexempt parent or caretaker who fails to work, undertake education and training combined with work, perform community service, or participate in a combination of work, education and/or training, and community service, for the required minimum number of hours per week is ineligible for cash assistance. Failure to work, undertake education and training combined with work, or participate in community service on more than one occasion, once mandated to do so, results in termination of assistance for the entire household. In two-parent households, both parents may be sanctioned for failure to comply with the work program requirement. This regulation is inconsistent with the two penalties permitted under PRWORA: 1) reducing the family's grant by a pro rata amount, or more at State option; or 2) terminating the family's grant. The Department's regulations can be found at 106 CMR 207.200(B).

Sanction for Failure to Comply with Child Support Enforcement Requirements: A caretaker relative who fails to cooperate with the State's child support enforcement requirements without good cause has his/her grant reduced. Massachusetts' 1115 waiver authority allows the State to impose a sanction for failure to comply with child support requirements that is equal to the caretaker's portion of the grant. This is inconsistent with the requirement under PRWORA to deduct from the assistance unit an amount equal to not less than 25 percent of the grant. However, the State has retained this sanction for failure to comply with child support requirements under its 1115 waiver authority. The regulations governing cooperation with child support enforcement are located at 106 CMR 203.700 through 203.790.

No limitation on Job Search: Under the State's 1115 waiver approved on October 31, 1995, Job Search may be required without limitation on the number of weeks (i.e., unrestricted by the eight week and four month limitations, and the three week limit prior to assessment). This is inconsistent with the provision in PRWORA which places a limit on the length of time that the State may consider individuals participating in job search to be counted as participating in a work activity. However, the State has retained this 1115 waiver authority. The State's work program requirements are located at 106 CMR 203.400.

Participation Rates: Massachusetts is opting to count in its determination of the work participation rate all activities formerly counted toward its JOBS participation rate in accordance with Chapter 5 of the Acts of 1995, which was the basis of Massachusetts' 1115 waiver. These activities include the following: job placement, job readiness, job search, education, training, the Full Employment Program (FEP), Supported Work, community service, any subsidized or unsubsidized job, and programs that extend beyond the time constraints specified in PRWORA such as a two-year community college program.

Massachusetts reserves the right to calculate the most favorable participation rates possible, based on the waiver in effect prior to implementation of the Personal Responsibility and Work Opportunity Reconciliation Act. Among the waiver factors the Department will consider are the hours that a family must work, whether an adult is exempt from the work requirement and the types of activities that meet the work requirement.

Transitional Medical Assistance: Under Massachusetts' 1115 waiver, a recipient whose TAFDC case closes due to earnings is eligible for an automatic extension of Transitional Medical Assistance from six months to twelve months, without reporting requirements, regardless of whether the individual was in receipt of benefits three out of the six months prior to termination. The State will continue to provide Transitional Medical Assistance to such recipients under its 1115 waiver authority.

Additional Programs Operated Under the TANF Program

In addition to the TAFDC program, Massachusetts operates a number of other programs under the TANF umbrella. These include the following:

STAFDC (Supplemental Transitional Aid to Families with Dependent Children)

STAFDC is the state's cash assistance program for legal noncitizen families with children with few assets and little or no income, who due to their immigration status are not otherwise eligible for TAFDC. Segregated state MOE dollars are used to fund this program. Assets are considered for eligibility determination as defined in 106 CMR 204.100, while income applied to eligibility determination or review is defined under 106 CMR 204.200. Payment standards for this program can be found in regulation at 106 CMR 204.420. (The Department's current regulations are available on the Internet at the following address: <http://www.mass.gov/dta>.)

ESP (Employment Services Program)

ESP provides a variety of employment services to (S)TAFDC families. ESP is an employment-oriented program that supports the goal of ending dependence of needy parents on government benefits by promoting job preparation and work. ESP services include:

- **Basic Job Search:** Basic Job Search is a program designed to meet the needs of participants with some work history and no serious barriers to employment. Services include assessment, job readiness training, job search support, case management, and job placement. All TAFDC recipients are eligible to utilize Job Search services.
- **Structured Job Search:** Structured Job Search is an intensive program focusing on TAFDC recipients with six or fewer months of eligibility remaining. The program acclimates participants to the work environment and the job search process in a structured and supportive atmosphere.
- **Skills Training:** Community-based agencies, schools and other nonprofit organizations provide skills training, education and job placement services to TAFDC recipients. These services provide integrated short-term skills training and education programs as well as free-standing skills training or education programs.
- **Supported Work:** The Supported Work program places participants into worksites where they earn wages in addition to receiving a reduced TAFDC grant while they learn work skills on the job and gradually transition to unsubsidized employment.

- **Young Parents Program (YPP):** The YPP program provides literacy and other skills training to pregnant and/or parenting TAFDC recipients between the ages of 14 and 22 who have not achieved a high school diploma or its equivalent.
- **Community College Voucher Program (CCVP):** The CCVP is a four-week to nine-month certificate program for TAFDC recipients integrating academic and occupational learning with the ultimate goal of job placements.
- **Full Employment Program (FEP):** FEP is a subsidized employment program for TAFDC recipients.
- **Community Service Program (CSP):** CSP provides work experience to TAFDC recipients who are work required and have been unable to find paid employment. The goal of this program is to place recipients in activities which will establish a recent and local work history and good references through productive working relationships.
- **Parents Fair Share:** The Parents Fair Share program is a pilot program which serves noncustodial parents of children receiving TAFDC in the Springfield, MA area. It is designed to enhance a noncustodial parent's ability to meet his/her child support obligations, eliminate or reduce family dependency on public assistance, and increase the noncustodial parent's role in their child's life.
- **GED Testing:** Massachusetts pays GED exam fees for all TAFDC recipients who take this exam.
- **Transportation Supports to ESP Participants:** Transportation supports are provided to TAFDC recipients in approved employment services activities.

Transportation Supports for Working Families

Transportation supports are provided to employed TAFDC and former TAFDC recipients (within one year of leaving the rolls).

Post-Employment Services

Employed former TAFDC recipients (within one year of leaving the rolls) can receive post placement services which include skill enhancement and job retention programs.

Outreach and Referral Program

This program provides outreach, follow-up, home visiting, and referral services for families being served through emergency assistance programs. The primary goal of this initiative is to assist families by providing information and linkages to community based resources. All food stamp families with children under the age of 19 receive a *Resource Guide for Families*, which provides information on a variety of community resources.

Emergency Assistance Shelter Program to TAFDC Families

This program provides temporary shelter to financially eligible homeless TAFDC families and assists them in finding permanent housing. To be eligible, families must meet both the TAFDC and EA gross income standards. An EA eligible family whose income exceeds 100% of federal poverty will remain eligible for shelter benefits for up to 6 months beyond the date at which their income exceeds the

standard. The Department's current EA regulations can be found at 106 CMR 309.000 et. seq. and 106 CMR 705.350.

Emergency Assistance Shelter Program to Other Than TAFDC Families

This program provides temporary shelter to financially eligible homeless families who are not TAFDC recipients and assists them in finding permanent housing. To be eligible, household gross income is required to be less than or equal to 100% of the federal poverty level, with assets not greater than \$2500. An EA eligible family whose income exceeds 100% of federal poverty will remain eligible for shelter benefits for up to 6 months beyond the date at which their income exceeds the standard. The Department's current EA regulations can be found at 106 CMR 309.000 et. seq.

TAFDC Child Care

Child care services are provided to TAFDC families participating in approved Employment Services activities or working. These services are provided as long as the TAFDC recipients are engaged in approved activities or until they leave the TAFDC caseload. Once a family leaves the TAFDC rolls, they may be eligible for transitional child care (see program below).

Transitional, Teen and Income Eligible Child Care

Child care is available to former TAFDC whose income does not exceed 85% of the State Median Income. A former TAFDC recipient whose cash benefits end due to earnings is eligible for Transitional Child Care (TCC) for 12 months from the date the cash assistance ends. At the end of the 12-month period, if the former recipient is still employed, needs child care, and is financially eligible, the former recipient may continue to receive subsidized Income Eligible Child Care.

Low-income working families who have never received TAFDC assistance and whose income does not exceed 85% of the State Median Income may receive income eligible child care if slots are available. Teen parents whose income does not exceed 85% of the State Median Income may receive child care services that provide education and developmental activities for children and allow them to develop their parenting skills while attending school or developing career skills.

Child Care for Continuing Education

Former TAFDC recipients who are unemployed and completing an education or training program are eligible for child care services for up to six months after their TAFDC case closes.

Healthy Families Home Visiting Program

This program, administered by the Children's Trust Fund of Massachusetts, provides home visiting services to any first-time teen parents without regard to financial criteria. The primary goals of the program are to prevent additional out-of-wedlock births, to support positive parenting skills, to promote optimal health and childhood development, and to promote parental educational attainment and economic self-sufficiency. Families can begin participating in this program during pregnancy and continue until their child's third birthday.

State Earned Income Tax Credit

The State Earned Income Tax Credit (SEITC) is a refundable tax credit that is equal to ten percent of the federal earned income tax credit claimed by the filer(s) in the same tax year. Massachusetts claims as MOE only the refunded portion of the SEITC awarded to full year Massachusetts resident families who have at least one dependent child in their family and meet the financial eligibility criteria as defined by federal tax law to claim the federal earned income tax credit.

Early Childhood Development Program

This program provides early childhood development services for children (between the ages of three and four) of low-income working families with income up to 125 % of the State Median Income.

Teen Pregnancy Prevention Services

This program is similar to the Family Planning and Outreach and Education program but focuses on youth between the ages of 10 and 19 who are at high risk for unintended and out-of-wedlock pregnancies.

Comprehensive Early Childhood Services

Comprehensive early childhood services include mental health services, family support and education, health and dental screenings, home visits, information and referral, and transportation for at-risk children and their families, where parents have income under 125% of state median income. Since the majority of the families receiving these services are two-parent families and the services reduce stresses that put pressure on family cohesion, these services promote the maintenance of two-parent families.

Housing Assistance Program (HAP)

The Housing Assistance Program provides housing search services to homeless Emergency Assistance families, as well as homelessness prevention counseling to financially eligible families in danger of losing their housing. A description of the Department's EA program can be found at 106 CMR 309.000 et. seq. HAP contractors located in every region in the state receive referrals from the Department's case workers. Through DTA direction they are required to focus on providing homelessness related services that will facilitate needy families being cared for in their own homes, as well as encourage the maintenance of the family unit.

(ii) Require a parent or caretaker receiving assistance under the program to engage in work (as defined by the State) once the State determines the parent or caretaker is ready to engage in work, or once the parent or caretaker has received assistance under the program for 24-months (whether or not consecutive), whichever is earlier.

The Department determines an applicant's/recipient's work program status at application, eligibility reviews, and whenever the individual notifies the Department that his or her circumstances have changed. Individuals who are determined to be nonexempt and whose children are age 2 or older are considered to be job ready, and must comply with the work/education and training provisions required by 106 CMR 203.400(A)(2). The current regulations regarding the work program can be found at 106 CMR 203.400; the current regulations regarding exemptions can be found at 203.100. The regulations include, under State option, exemptions for certain single custodial parents who are caring for children under the age of two (which encompasses the federal option to exempt parents with children under the age of one). In addition, if a single custodial parent caring for a child under six is required to work under the State's regulations, and such parent has demonstrated an inability to locate child care for the reasons specified in Section 407(e)(2), such parent is not sanctioned for failing to participate in the work program.

For purposes of meeting the federal work participation requirements, the State defines work to include any and all of the following activities permitted under the federal law: unsubsidized employment; subsidized private sector employment; subsidized public sector employment; work experience; on-the-

job-training; job search and job readiness assistance; community service; vocational education; job skills training directly related to employment; education directly related to employment; satisfactory attendance at secondary school or equivalent; and child care services provided by recipients so that other recipients can participate in work-related activities, including community service. The State also recognizes activities pursuant to its 1115 waiver.

(iii) Ensure that parents and caretakers receiving assistance under the program engage in work activities in accordance with section 407.

Nonexempt parents/caretakers subject to the work program requirements who fail to meet work program requirements under 106 CMR 203.400(A), or to substitute work hours with education and/or training that meets the work program requirements, are mandated to participate in community service. Once mandated, a nonexempt parent/caretaker who fails to work, undertake education and/or training, perform community service, or participate in a combination of work, education and/or training, and community service for the required minimum number of hours per week, is ineligible for cash assistance. Failure to work or participate in education and/or training, or community service on more than one occasion, once mandated to do so, results in termination of assistance for the entire household. Recipients must verify their compliance with the work program requirement on a regular basis, and their participation status is tracked on the Department's automated systems. Current regulations pertaining to work program sanctions, and good cause for failure to comply with such requirements can be found at 106 CMR 207.000 et. seq.

The minimum number of hours of participation required by recipients, and the penalties for failing to comply with the participation requirement were established by Chapter 5, and subsequently amended by the Commonwealth's General Accounting Acts. These provisions are consistent with Massachusetts' 1115 waiver approved on October 31, 1995. Massachusetts is electing to continue to operate under our 1115 waiver provisions, rather than adopting the requirements contained in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Recipients who are exempt from the work program requirement, or meeting their work program requirement may also volunteer to participate in job-related activities such as training, education, job search and job readiness. Such recipients may also be required to participate in such activities, subject to availability. Their participation in these activities is verified and tracked on the ESP tracking system.

(iv) Take such reasonable steps as the State deems necessary to restrict the use and disclosure of information about individuals and families receiving assistance under the program attributable to funds provided by the Federal Government.

The State restricts the use/disclosure of confidential information. Current regulations regarding these restrictions can be found at 106 CMR 100 through 108: Fair Information Practices.

(v) Establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies, with special emphasis on teenage pregnancies, and establish numerical goals for reducing the illegitimacy ratio of the State (as defined in section 403(a)(2)(B)) for calendar years 1996 - 2005.

Massachusetts historically has had one of the lowest teen birth rates in the country. Although nationally 12.9% of all births in 1996 were to women under 20 years of age, in Massachusetts, that rate

was only 7.3%. By 2000 the national rate fell to 11.8%, while that of the Commonwealth's dropped to 6.6%. The 1996 Massachusetts teen birth rate (births per 1,000 women ages 15 through 19) was 28.5, compared to the national teen birth rate of 54.4. By 2000 teen births per 1,000 women decreased to 25.8 in Massachusetts, while nationally it declined to 48.5.

Like many other states with low teen birth rates, Massachusetts has had a higher percentage of teen births to unmarried teens. In 1996, the percentage of teen births to unmarried teens (ages under 20) was 90.3%, compared to 71.3% nationally; in 2000 these figures were 91.3% and 79% respectively.

In order to reduce the incidence of out-of-wedlock births, and to establish achievable goals through calendar year 2005, a number of initiatives have been undertaken. The Department of Transitional Assistance has worked closely with the state Department of Public Health's Bureau on Family and Community Health (BFCH). BFCH coordinates family planning and teen pregnancy prevention efforts throughout the Commonwealth. In addition, BFCH works with local schools (K-12) to develop sex and health education curricula which incorporates pregnancy prevention efforts.

The Commission to Reduce Father Absence and Support Families in the Commonwealth was also established, in part, to recommend policy initiatives to reduce the rate of out-of-wedlock births and the rate of teen pregnancy. The Commission includes State government officials and representatives of the faith communities, community organizations, and private businesses.

In 1998, the Department of Public Health also received funding for abstinence education. A description of the initiatives funded under this grant and the numeric goals established are included in Attachment 1.

(vi) Conduct a program designed to reach State and local law enforcement officials, the education system, and relevant counseling services, that provides education and training on the problem of statutory rape so that teenage pregnancy prevention programs may be expanded in scope to include men.

In 1996, former Governor William Weld directed the Department of State Police (DSP) to increase prosecution under Massachusetts' statutory rape law. Toward that end, DSP has increased its investigation and education resources aimed at increasing the effectiveness of the prosecution and prevention of these crimes.

The State Police Domestic Violence Unit currently conducts classes that encompass the issue of teen dating violence, including statutory rape. Students from middle- to high-school age, teachers, counselors, health-care workers, other state employees, and state and local police officers are trained by the Unit. The curriculum includes an increased emphasis on statutory rape to enable the Domestic Violence Unit to more effectively bring the importance of this message to trainees. The Department of Transitional Assistance will continue to work with this Unit, and with the state Department of Public Health's pregnancy prevention initiatives to maximize the educational efforts concerning statutory rape.

In addition, in 1997 a subcommittee of the Governor's Commission on Domestic Violence was charged with responsibility for making recommendations to the Commission on strategies for addressing the issue of statutory rape. Staff from the Department of Transitional Assistance, the nonprofit Alliance for Young Families, the Department of Social Services, the Department of Public

Health, the Department of Education, Sexual Assault and Rape Crisis Centers, Planned Parenthood and the District Attorney's Association have held several meetings to discuss the issues and potential strategies.

(B) Special Provisions

(i) Indicate whether the State intends to treat families moving into the State from another State differently than other families under the program, and if so, how the State intends to treat such families under the program.

The State has not elected to implement this option at this time.

(ii) Indicate whether the State intends to provide assistance under the program to individuals who are not citizens of the U.S., and if so, an overview of such assistance.

Only non-citizens who are eligible under PRWORA receive TAFDC benefits, which are funded with state and/or federal funds.

(iii) Set forth objective criteria for the delivery of benefits and the determination of eligibility, and for fair and equitable treatment, including an explanation of how the State will provide opportunities for recipients who have been adversely affected to be heard in a State administrative or appeal process.

Benefits are provided to eligible applicants and recipients on a statewide basis. The standards for determining eligibility and the amount of assistance are established on an objective and equitable basis in accordance with the Department's regulations. These standards are based on an individual's income, assets, family size and circumstances. All Department activities are conducted in accordance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act of 1990, as amended, the Age Discrimination Act of 1975, as amended, and the Massachusetts Constitution. The Department does not discriminate on the basis of race, color, sex, national origin, handicap or age in admission or access to, or treatment or employment in, its programs or activities. An applicant/recipient has a right to a fair hearing as set forth in the Department's current regulations at 106 CMR 343.000 et. seq.

All benefits to which recipients are eligible are provided with reasonable promptness in accordance with timeliness standards which are included in the Department's regulations. The Department's current timeliness standards can be found at 106 CMR 701.500 - 701.530 and 702.160 - 702.180.

(iv) Not later than one year after the date of enactment of the Act, unless the chief executive officer of the State opts out of this provision by notifying the Secretary, a State shall, consistent with the exception provided in section 407(e)(2), require a parent or caretaker receiving assistance under the program who, after receiving assistance for two months is not exempt from work requirements and is not engaged in work, as determined under section 407(c), to participate in community service or employment, with minimum hours per week and tasks to be determined by the State.

As noted in section (i)(A) above, if a parent/caretaker is not exempt from the work program requirement as defined by the State, and has received assistance for sixty days, and he/she is not working or substituting work hours with education and/or training, he/she will be required to participate in community service (or a combination of work and community service) for the hours per

week that ensures their compliance with 106 CMR 203.400(A). This requirement may be waived for victims of domestic violence.

OPTIONAL PROVISIONS

The State provides the following information regarding *optional* provisions under the Personal Responsibility and Work Opportunity Reconciliation Act:

Title I, Section 404 Use of Grants

(c) AUTHORITY TO TREAT INTERSTATE IMMIGRANTS UNDER RULES OF FORMER STATE

A State operating a program funded under this part may apply to a family the rules (including benefit amounts) of the program funded under this part of another State if the family has moved to the State from the other State and has resided in the State for less than 12 months.

The State has not elected to implement this option at this time.

Title I, Section 404 Use of Grants

(f) AUTHORITY TO OPERATE EMPLOYMENT PLACEMENT PROGRAM

A State to which a grant is made under section 403 may use the grant to make payments (or provide job placement vouchers) to State-approved public and private job placement agencies that provide employment placement services to individuals who receive assistance under the State program funded under this part.

The State uses its grant to make payments to State-approved placement agencies, as it deems appropriate. The Department of Transitional Assistance currently purchases job placement services from the Department of Employment and Training, One-Stop Career Centers, and Service Delivery Areas. The State will continue to purchase such services, aimed at assisting recipients to obtain jobs, through these agencies or other avenues available through the workforce development system.

Title I, Section 404 Use of Grants

(j) REQUIREMENT FOR HIGH SCHOOL DIPLOMA OR EQUIVALENT

A State to which a grant is made under section 403 shall not be prohibited from sanctioning a family that includes an adult who is older than age 20 and younger than age 51 and who has received assistance under any State program funded under this part attributable to funds provided by the Federal Government or under the food stamp program, as defined in section 3(h) of the Food Stamp Act of 1977, if such adult does not have, or is not working toward attaining, a secondary school diploma or its recognized equivalent unless such adult has been determined in the judgment of medical, psychiatric, or other appropriate professionals to lack the requisite capacity to complete successfully a course of study that would lead to a secondary school diploma or its recognized equivalent.

The State has not elected to sanction such individuals at this time.

Title I, Section 404 Use of Grants

(h) USE OF FUNDS FOR INDIVIDUAL DEVELOPMENT ACCOUNTS

A State to which a grant is made under section 403 may use the grant to carry out a program to fund individual development accounts (as defined in paragraph (2)) established by individuals eligible for assistance under the State program funded under this part.

The State has not elected to implement this option at this time.

Title I, Section 407(b)(5) State Option for Participation Requirements

For any fiscal year, a State may at its option, not require an individual who is a single custodial parent caring for a child who has not attained 12 months of age to engage in work, and may disregard such an individual in determining the participation rates under subsection (a) for not more than 12 months.

The State has elected to implement this option, with certain exceptions. Current regulations governing the work program requirement can be found at 106 CMR 203.400.

Title I, Section 408 Prohibitions; Requirements

(a)(7) No Assistance for More than 5 Years

(C) Hardship Exception (i) In General

The State may exempt a family from the application of subparagraph (A) by reason of hardship or if the family includes an individual who has been battered or subjected to extreme cruelty.

The State excludes from its time-limit those individuals who have been determined to meet the Department's exemption criteria. Such exemptions can currently be found at 106 CMR 203.100. In addition, exceptions and waivers of the time-limit may be granted at the discretion of the Department for reasons which may include hardship and/or domestic violence. Such extensions and waivers can currently be found at 106 CMR 203.210.

Title I, Section 408 Prohibitions; Requirements

(a)(10) DENIAL OF ASSISTANCE FOR MINOR CHILDREN WHO ARE ABSENT FROM THE HOME FOR A SIGNIFICANT PERIOD

(A) GENERAL

A State to which a grant is made under section 403 shall not use any part of the grant to provide assistance for a minor child who has been, or is expected by a parent (or other caretaker relative) of the child to be, absent from the home for a period of 45 consecutive days, or at the option of the State, such period of not less than 30 and not more than 180 consecutive days as the State may provide for in the State plan submitted pursuant to section 402.

In order to receive assistance, a child may not be absent from the home for more than 120 consecutive days, without good cause. This regulation, and the definition of good cause can be found at 106 CMR 203.595.

Title I, Section 408 Prohibitions; Requirements

(a)(10) DENIAL OF ASSISTANCE FOR MINOR CHILDREN WHO ARE ABSENT FROM THE HOME FOR A SIGNIFICANT PERIOD
(B) STATE AUTHORITY TO ESTABLISH GOOD CAUSE EXCEPTIONS

The State may establish such good cause exceptions to subparagraph (A) as the State considers appropriate if such exceptions are provided for in the State plan submitted pursuant to section 402.

Good cause shall mean hospitalization of the minor child, attendance at a residential school or absence due to a family crisis situation which is temporary in nature. The definition of good cause can be found at 106 CMR 203.595.

Title I, Section 408 Prohibitions; Requirements

(b) INDIVIDUAL RESPONSIBILITY PLANS

(2) (A) IN GENERAL

On the basis of the assessment made under subsection (a) with respect to an individual, the State agency, in consultation with the individual, may develop an individual responsibility plan.

The State does not develop individual responsibility plans as defined in the Act, although, in specific circumstances identified in State regulations, the State does develop Employment Development Plans (EDPs) in conjunction with recipients. An EDP identifies the recipient's employment-related goals, and the supportive services which will be provided to assist the recipient in meeting these goals.

Title I, Section 408 Prohibitions; Requirements

(b) INDIVIDUAL RESPONSIBILITY PLANS

(2) (B) TIMING

The State agency may comply with paragraph (1) with respect to an individual: i) within 90 days (or at the option of the State, 180 days) after the effective date of this part, in the case of an individual who, as of such effective date, is a recipient of aid under the State plan approved under part A (as in effect immediately before such effective date); or ii) within 30 days (or, at the option of the State, 90 days) after the individual is determined to be eligible for such assistance, in the case of any other individual.

As required, the Department conducts initial assessments of applicants and recipients who are 18 years of age or older, and have not completed high school or obtained a GED, and are not attending secondary school. Assessments were completed within 180 days for individuals who were receiving assistance prior to enactment of the Act; and within 90 days for individuals who began receiving assistance after enactment of the Act.

Title I, Section 114 Assuring Medicaid Coverage for Low-Income Families

(b)(3) OPTION TO TERMINATE MEDICAL ASSISTANCE FOR FAILURE TO MEET WORK REQUIREMENT (A) INDIVIDUALS RECEIVING CASH ASSISTANCE UNDER TANF

In the case of an individual who: (i) is receiving cash assistance under a State program funded under part A of title IV; (ii) is eligible for medical assistance under this title on a basis not

related to section 1902(1); and (iii) has the cash assistance under such program terminated pursuant to 407(e)(1)(B) (as in effect on or after the welfare reform effective date) because of refusing to work, the State may terminate such individual's eligibility for medical assistance under this title until such time as there no longer is a basis for the termination of such cash assistance because of such refusal.

The State has not elected to implement this option at this time.

Title I Section 115 Denial of Assistance and Benefits for Certain Drug-Related Convictions

(d)(1)(A) Opt Out — A State may, by specific reference in a law enacted after the date of the enactment of this Act, exempt any or all individuals domiciled in the State from the application of subsection (a).

(B) Limit Period of Prohibition

A State may, by law enacted after the date of the enactment of this Act, limit the period for which subsection (a) shall apply to any or all individuals domiciled in the State.

The State has decided to exempt individuals from the eligibility restrictions of Title I Section 115(d)(1) with exception that incarcerated individuals described in that section, shall not be eligible for TAFDC cash assistance during the first 12 months after release from a correctional institution unless exemptions under 106 CMR 203.100 are applicable.

THE MASSACHUSETTS ABSTINENCE EDUCATION MEDIA INITIATIVE

Since 1998, Massachusetts has implemented a broad-based, statewide Abstinence Education Media Campaign funded by the Maternal and Child Health Bureau of the U.S. Department of Health and Human Services. The campaign focuses primarily on youth and families in communities of color where there have traditionally been a disproportionate number of Hispanic and Black teen births.

The goal of the campaign is to significantly increase the number of male and female youth who choose to remain abstinent prior to marriage. The campaign has the following objectives:

- increase self-esteem, pride, and a sense of future self-sufficiency in preadolescents
- support parents to instill positive values and set clear limits and behavioral expectations for their children
- educate youth about the impact alcohol and other substances have in relationship to sexual assault and the ability to remain abstinent
- increase community awareness regarding the sexual exploitation of young females by older males

Radio and television messages and brochures have been developed for 9-12 and 15-17 year olds. Messages, brochures and a peer educational film have been developed for parents in both English and Spanish. All campaign messages and materials are developed with the input of youth, parents, and other local community members.

A statewide advisory group, which includes youth, health and education agency representatives, parents, and advocacy groups, provides input into all phases of the campaign including design, implementation and assessment.

The Abstinence Campaign Evaluation assesses the program's progress in reaching Campaign goals and achieving performance measures. Multiple data sources provide current and relevant information on personal, familial and other social factors which influence young people's decisions regarding sexual abstinence.

The evaluation goals are:

- To better understand the social networks and cultural factors of the Campaign's target groups in order to generate media products that reach primary audiences and appeal to the groups' core values.
- To provide timely information and feedback on the Campaign's process in order to inform planning and improve future messages.
- To document the Campaign's progress in advancing intermediate and long-term objectives.

The evaluation utilizes several approaches to help the Campaign achieve its goals: Existing data sources, surveys, focus groups and interviews provide vital information for media message development.

MDPH evaluators collaborate with community members and other researchers to produce valid evaluation tools. New evaluation activities build on past successes, current research and regular review of state and national programs and policies.

Attachment-1